

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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<b>In re:</b>	)	<b>Bankruptcy No. 16-20411-CMB</b>
	)	
<b>RICHARD M. GARDNER and</b>	)	<b>Chapter 13</b>
<b>DONNA R. GARDNER.</b>	)	
	)	<b>Related Doc. No. 22</b>
<b>Debtor.</b>	)	
<hr/>	)	
	)	
<b>RICHARD M. GARDNER and</b>	)	
<b>DONNA R. GARDNER</b>	)	
	)	
<b>Movant,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>PNC MORTGAGE.</b>	)	
	)	
<b>Respondent.</b>	)	
<hr/>	)	

**ORDER REGARDING COMPLIANCE WITH LOSS MITIGATION PROGRAM**

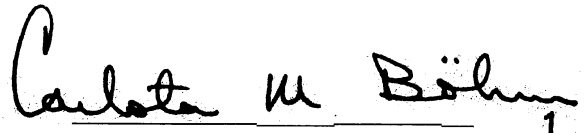
An Order authorizing Loss Mitigation was entered April 15, 2016 (Doc. No. 22, the “LPM Order”) wherein the Debtor was authorized to enter into the Court’s Loss Mitigation Program (“LMP”). The LMP Order provides that the LMP time period is ninety (90) days from the entry of the LMP Order unless extended and that, upon expiration of the LMP time period, the Debtor “shall submit an LMP Final Report” within seven (7) days thereafter.

The record reflects that the LMP time period has expired. Absent extraordinary circumstances, more than sufficient time has elapsed for the Debtor and Respondent to negotiate a consensual loss mitigation settlement and/or mortgage modification.

Accordingly, it is hereby **ORDERED, ADJUGED, and DECREED** that:

1. The Debtor shall file a Status Report summarizing the history and current situation regarding the LMP, including the extraordinary circumstances causing the failure to negotiate a consensual loss mitigation settlement and/or mortgage modification, within fifteen (15) days from the date of this Order; or
2. If the LMP has expired or if a consensual resolution has occurred, file a Final Report with respect to the LMP within fifteen (15) days from the date of this Order.
3. Failure to comply with the terms of this Order may result in the imposition of sanctions. While the Court does not desire to impose sanctions, the Court does desire open LMP matters to progress to completion. If a party to the LMP has not been cooperating or proceeding in good faith, the Court expects the counter-party to bring the matter to the attention of the Court for resolution.

Date: *August 22, 2016*



Carlota M. Böhm  
United States Bankruptcy Judge

**FILED**

AUG 22 2016

CLERK, U.S. BANKRUPTCY COURT  
WEST DIST. OF PENNSYLVANIA

Certificate of Notice Page 3 of 3  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Richard M. Gardner, Sr.  
Donna R. Gardner  
Debtors

Case No. 16-20411-CMB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dsaw  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 0

Date Rcvd: Aug 22, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 24, 2016.  
NO NOTICES MAILED.

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
cr PNC Bank, National Association

TOTALS: 1, \* 0, ## 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 24, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 22, 2016 at the address(es) listed below:

Abagale E. Steidl on behalf of Joint Debtor Donna R. Gardner asteidl@steidl-steinberg.com,  
Julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;npalashoff@steidl-steinberg.com  
Abagale E. Steidl on behalf of Debtor Richard M. Gardner, Sr. asteidl@steidl-steinberg.com,  
Julie.steidl@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;npalashoff@steidl-steinberg.com  
Andrew F Gornall on behalf of Creditor PNC Bank, National Association  
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com  
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TOTAL: 5